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September 30, 2022

Via ECF

The Honorable Roanne L. Mann
United States Magistrate Judge
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Joint Status Report: *Suffolk County Water Authority v. The Dow Chemical Co. et al.*,
No. 2:17-cv-6980-NG-RLM

Dear Judge Mann:

On behalf of Plaintiff Suffolk County Water Authority (“SCWA”) and Defendants The Dow Chemical Company, Legacy Vulcan, LLC (f/k/a Vulcan Materials Company), and Ferro Corporation, the Parties update below their progress regarding additional discovery items sought in response to the Court’s July 1, 2022 order on Defendants’ motion to compel production of SCWA’s SCADA database (Dkt. No. 316, “Order”).

SCWA previously produced a copy of its SCADA data to Defendants on a hard drive which Defendants’ consultant GSI Environmental, Inc. (“GSI”) was unable to access. SCWA’s SCADA software developer, Systems Integrated (“SI”), and GSI have engaged in productive discussions pursuant to which, SI has agreed to, *inter alia*: continue providing demonstration and training to GSI on the architecture, data structure, operation, and queriability of the SCADA system; and load the dataset previously produced to Defendants on SI’s servers and run queries to extract data and screen diagrams therefrom as requested by Defendants. In addition, Defendants are evaluating the Scope of Work and Quote previously provided by SI regarding the potential purchase of SI’s proprietary OnSite software license and related computer server to enable Defendants to review and query the SCADA database themselves. Finally, SCWA and Defendants have made progress on resolving remaining issues in connection with the production of the Piping & Instrumentation Diagram (P&ID) files. The parties will report to the Court on the status of the foregoing efforts by October 14.

* * *

The Parties will promptly bring to the Court any issues requiring earlier intervention following further good faith conferral.

Respectfully submitted,

/s/ Joel Alan Blanchet
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/s/ Katie H. Jones
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Hon. Roanne L. Mann

September 30, 2022

Page 2

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cc: All Counsel of Record (by ECF)